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Date of Deposit: March 7, 2007

Attorney Docket No. 28069-624-NATL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Rudi Mueller-Walz  
SERIAL NUMBER: 10/574,334 EXAMINER: Not Yet Assigned  
FILING DATE: March 31, 2006 ART UNIT: Not Yet Assigned  
FOR: AEROSOL FORMULATIONS COMPRISING FORMOTEROL  
FUMARATE DIHYDRATE

**Mail Stop Missing Parts**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Copy of Notification of Missing Requirements Under 37 U.S.C. 371 (2 pgs.);
2. Response to Notice to File Missing Parts (1 pg.);
3. Executed Combined Declaration and Power of Attorney (3 pgs.);
4. Check (23908) in the amount of \$130.00 to cover surcharge for late filing; and
5. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 28069-624 NATL. A duplicate copy of this Transmittal Letter is enclosed.

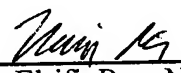
Respectfully submitted,

03/14/2007 LLANDGRA 00000009 10574334

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Dated: March 7, 2007

  
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Customer No. 30623

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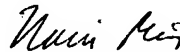
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed February 20, 2007, Applicants submit herein an executed Combined Declaration and Power of Attorney and payment of the surcharge for late filing (\$130.00) set forth in 37 C.F.R. §1.16(e). The response is due on or before April 20, 2007.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 28069-624-NATL.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
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Dated: March 7, 2007



03-09-07

PCT

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,334	Rudi Mueller-Walz	28069-624 NATL

INTERNATIONAL APPLICATION NO.
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PCT/IB04/03481

I.A. FILING DATE	PRIORITY DATE
10/08/2004	10/09/2003

35437

MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO  
666 THIRD AVENUE  
NEW YORK, NY 10017

CONFIRMATION NO. 5874

371 FORMALITIES LETTER



\*OC000000022555382\*

Date Mailed: 02/20/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/31/2006
- Copy of the International Search Report filed on 03/31/2006
- Copy of IPE Report filed on 03/31/2006
- Preliminary Amendments filed on 03/31/2006
- Information Disclosure Statements filed on 03/31/2006
- Oath or Declaration filed on 03/31/2006
- U.S. Basic National Fees filed on 03/31/2006
- Priority Documents filed on 03/31/2006

	Done By
<input type="checkbox"/> File Folder	<input checked="" type="checkbox"/>
<input type="checkbox"/> Data Entry	
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9/20/09  
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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,334	PCT/IB04/03481	28069-624 NATL